



366 Madison Avenue | 7th Floor  
New York, New York 10017  
Tel 212-453-5900 | Fax 212-453-5959

Writer's Direct Contact:

RICHARD BAHRENBURG  
212-453-5937  
rbahrenburg@fordharrison.com

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**VIA ECF**

Hon. Rachel P. Kovner  
Hon. Vera M. Scanlon  
U.S. District Court  
Eastern District of New York  
225 Cadman Plaza E.  
Brooklyn, NY 11201

Re: *Malancea v. Family Home Care Services of Brooklyn and Queens, Inc.*  
18-cv-03261-RPK-VMS

Dear Judge Kovner and Magistrate Judge Scanlon:

We are Defendant's counsel in this case. This letter is submitted on behalf of both parties pursuant to the Court's Order directing them to report on the status of the parties' dispute regarding the global arbitration.

As noted in our previous status letter (ECF No. 50), the global arbitration before Arbitrator Martin F. Scheinman based on the 1199SEIU class grievance that encompasses more than 30 home health care agencies, including Defendant Family Home Care Services of Brooklyn and Queens, Inc. concluded on February 23, 2022 with the issuance of a Final Award by the Arbitrator. Subsequently, on March 1, 2022, 1199SEIU filed a petition to confirm the Final Award pursuant to the Labor Management Relations Act. On June 24, 2022, Judge John G. Koeltl of the Southern District of New York confirmed the Final Award and denied a partial vacatur motion brought by a limited number of individual home health care aides who are former employees of the affected agencies. The administration phase of the Final Award has been completed. However, the individual aides have appealed certain material aspects of Judge Koeltl's June 24, 2022 ruling to the Second Circuit. While this appeal has been fully briefed and oral argument held earlier this year, the Second Circuit's decision has not yet been handed down as of our knowledge.

Accordingly, the parties' respectfully request that Your Honor continue to stay this matter pending the resolution of the appeal challenging the Final Award. The parties will report any significant developments to the Court and continue to submit status reports as frequently as the Court may direct.

Respectfully submitted,

s/ Richard Bahrenburg

cc: Counsel of Record (VIA ECF)